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SUBJECT: DEMOCRACY AND HUMAN RIGHTS: TAIWAN TO (AGAIN) SEEK
LEGISLATIVE APPROVAL OF ICCPR

11. (SBU) Summary: Taiwan's executive branch will request the Legislative Yuan to ratify the UN International Covenants on Civil and Political Rights and Economic, Social, and Cultural Rights, despite Taiwan's lack of standing in the UN, President Ma Ying-jeou announced at a December 10 ceremony marking International Human Rights Day. Ma's address, which was interrupted both by pro-Tibet activists and by an individual protesting the government's demolition of an aging leprosy sanatorium, emphasized the government's commitment to preserving democratic freedoms and guaranteeing human rights. Ma did not halt his speech, but acknowledged the disturbances by observing that democratic Taiwan welcomes the expression of differing opinions as long as they do not infringe on the rights of others or break the law. Ma presented the 2008 Asia Democracy and Human Rights Award to Dr. Sima Samar, head of the Afghan Independent Human Rights Commission and founder of the Shuhada Organization, an NGO dedicated to the welfare and progress of Afghan people. End Summary.

Executive Yuan to Request Legislature Ratify UN Conventions

12. (SBU) Taiwan President Ma Ying-jeou used remarks at the 2008 Asia Democracy and Human Rights Award ceremony to announce his decision to instruct the Executive Yuan to submit on December 11 the UN International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) to the Legislative Yuan (LY) for ratification. Ma noted that, although a signatory to the Universal Declaration of Human Rights, Taiwan has never ratified the ICCPR or ICESCR. (Comment: This is partly because Taiwan lacks status in the UN, but also due to Taiwan's internal politics. Taiwan's Executive Yuan, under DPP President Chen Shui-bian, began seeking to pass the covenants in 2001 but failed to win the support of the KMT-dominated LY. With both branches of government now in KMT control, however, chances of passage are far higher. End comment.)

Taiwan Still a "Beacon of Democracy"

13. (SBU) In his remarks, Ma also addressed recent criticisms leveled by opposition DPP supporters at the administration's handling of demonstrations against ARATS Chairman Chen Yun-Lin's November 3-7 visit to Taiwan and recent detentions of opposition DPP officials. During the speech, two pro-Tibet activists held up a Tibetan flag and picture of the Dalai Lama, presumably protesting Ma's recent comments that now was not an appropriate time for a visit by the Dalai Lama. Later in the speech, another protester criticized Taiwan's "fake" democracy, pulled out a banner and shouted "the government intrudes upon the human rights of patients at the Lo Sheng Sanatorium," referring to the government's move to demolish part of the facility where persons who had Hansen's disease have lived for decades. The President cited the disruptions as indications of the state of freedom of expression on Taiwan. He noted, though, that this freedom must be exercised in accordance with the law and without infringing on the rights of others. Having elections is not enough as Taiwan's democracy enters a new stage. There must be real guarantees of freedom, human rights, and rule of law.

Ma cited as an example his statements to government agencies on the necessity of obtaining court orders for wiretaps. In addition, to protect the rights of the accused, all police interrogation rooms should be equipped with audio and video recording devices to deter any abuses.

14. (SBU) Unlike the autocratic past, Taiwan today stands as a society dedicated to upholding human rights and democracy, Ma stressed, pointing out that Freedom House has continued to rate Taiwan a fully free society since its 1996 annual

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Freedom in the World report. Ma recounted President Bush's congratulatory letter to Ma on his election this year, in which President Bush commended Taiwan as a "beacon of democracy." Ma assured the audience that Taiwan will remain firmly committed to preserving democratic freedoms and guaranteeing human rights.

Taiwan Foundation for Democracy

15. (U) In 2002, MOFA established the Taiwan Foundation for Democracy (TFD) to consolidate Taiwan's democracy, strengthen its commitment to human rights domestically, and create strong links with international organizations promoting democracy. TFD began operations in 2003 and elected LY Speaker Wang Jin-pyng as its first chairman. The TFD is governed by a total of fifteen trustees and five supervisors, representing political parties, the government, academia, NGOs, and the business sector. The Taiwan authorities provide primary funding for the Foundation.

The Asia Democracy and Human Rights Award

16. (U) In 2006, TFD established an annual Asia Democracy and Human Rights Award to honor individuals or organizations that have demonstrated long-term commitment to advancing democracy or human rights through peaceful means in Asia. The award consists of a small sculpture and a USD 100,000 grant. This year's award was granted to Dr. Sima Samar, Chair of the Afghanistan Independent Human Rights Commission and the founder of the Shuhada Organization, which provides health care, education, orphanage, and training services in Afghanistan and to Afghan refugees in Pakistan.

SYOUNG